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February 8, 2022

VIA EMAIL

Sarah Zylstra
Boardman & Clark LLP
1 South Pinckney St., Suite 410
P.O. Box 927
Madison, WI 53701

Re: Edgewood vs. City of Madison et al., Case No. 21-cv-118
Edgewood's Proposed Search Terms

Dear Sarah:

We write on behalf of Edgewood High School of the Sacred Heart, Inc. ("Edgewood") to propose the following search terms and custodians in accordance with the parties' January 12, 2022 meet and confer.

As discussed during the meet and confer, Defendants will run the search terms (once agreed upon) across the agreed-upon custodians. Edgewood is in receipt of Defendants' list of proposed custodians, as identified in Defendant's January 11, 2022 correspondence. Edgewood agrees that Defendants have identified all the correct Departments. However, Edgewood maintains that the list of custodians within each department is (or at least without additional information may be) artificially limited. Accordingly, Edgewood proposes as custodians for purposes of running search terms those emails/employees assigned to the departments identified in Defendants' January 11, 2022 correspondence during the responsive time period. To the extent individual custodians within a department are duplicative, Defendants need not search both (for example, if the city can represent that all correspondence to the Mayor related to issues in this litigation also went to Ms. Baumel, Ms. Baumel would be sufficient).

In addition, Edgewood expects that Defendants have engaged in routine discovery procedure and conducted custodial interviews with the named Defendants, including asking which personal email accounts, if any, Defendants have used to send communications relevant to the issues in this litigation. Edgewood likewise expects that any so-identified individual email accounts will be included.

Edgewood suggests the search terms identified below. Edgewood has done its best to suggest search terms consistent with Defendants' search term functionality as described in your January 20, 2022 email. However, the limitations of Defendants' systems, especially with regard

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to so-called “complex searches and parentheticals,” remains somewhat unclear to Edgewood. For example, the following search terms should be the same:

Edgewood OR EHS AND Field OR Athletic

(Edgewood OR EHS) AND (Field OR Athletic)

Edgewood would classify these terms as rudimentary, not complex; and Edgewood’s understanding is that Defendants’ system can process these types of strings. Conversely, Edgewood understands that Defendants’ systems would not be able to process something like the following:

((Edgewood OR EHS) AND (Jonathan OR Paul)) AND Field OR Athletic

Please confirm this understanding as soon as possible.

While we understand that Defendants may be limited by the capabilities of their systems, Edgewood does not concede that any such limitations provide a categorical justification not to search for, or to otherwise limit, certain documents. If, for example, Defendants’ systems cannot process relatively basic and/or searches with two data fields on each side (such as in the first example above), then the parties will necessarily need additional search terms.

Edgewood’s proposed search terms are as follows:

- 1) Field OR athletic OR Goodman OR stadium OR game OR match OR practice* OR event* OR contest AND (Edgewood OR EHS).
 - a. Time frame: 2013-present. RFP 4.
- 2) Renovat* OR install* OR construct* OR “put in” OR refurbish AND field OR scoreboard OR Goodman OR complex OR turf AND (Edgewood OR EHS).
 - a. Time frame: 2014-2016. RFPs 18-19.
- 3) “Campus institutional” OR CID OR 28.097 OR 14-0082 OR 14-82 AND (reason* OR purpos* OR rationale OR goal* OR accomplish* OR aim OR motiv* OR intend* OR intent* OR justif* OR objective* OR draft)
 - a. Time frame: 2012-2014. RFPs 20-22.
- 4) “Master Plan” AND (Edgewood or EHS).
 - a. Time frame: 2013-present. RFP 22.

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- 5) (Vilas OR Dudgeon OR “neighborhood association” OR neighbor OR DMNA OR VNA) AND (Edgewood OR EHS) AND (“master plan” OR field OR athletic OR Goodman OR stadium OR game* OR match* OR practice* OR event* OR contest)
 - a. Time frame: 2017-present. RFPs 24, 26.
- 6) (Edgewood OR EHS) AND (“master plan” OR field OR athletic OR Goodman OR stadium OR game* OR match* OR practice* OR event* OR “conditional use” OR CUP OR “light* application” OR “application for light*” OR “apply for light*” OR “request for light*” OR “request light*” OR “light* request. OR contest”)
 - a. Time frame: 2013-present. RFP 27, 30, 31, 38.
- 7) (UW OR “UW-Madison” OR “UW Madison” OR “University of Wisconsin”) AND (field* OR facility OR facilities OR stadium* OR arena* OR complex OR contest) AND (zon* or permit or “master plan”)
 - a. Time frame: 2017-present. RFP 29.
- 8) (Memorial OR “Madison West” OR “West High” OR LaFollette OR “La Follette” OR “Madison East” OR “East High” OR “Breese Stevens” OR UW OR “UW-Madison” OR “University of Wisconsin”) AND (field* OR facility OR facilities OR stadium* OR arena* OR complex OR contest) AND (“permitted use*” OR “conditional use*” OR game* OR match* OR practice* OR event* OR activit* OR host OR contest).
 - a. Time frame: 2013-present. RFP 41.
- 9) (Edgewood OR EHS) AND electric* AND (application OR apply OR permit OR grant* OR deny OR denial OR denied OR reject*)
 - a. Time frame: 2014-2016. RFP 42.
- 10) (Zone OR Zoning) AND (ticket* OR violat* OR cite OR citation OR infraction OR fine) AND Memorial OR “Madison West” OR “West High” OR LaFollette OR “La Follette” OR “Madison East” OR “East High” OR UW OR “UW-Madison” OR “University of Wisconsin” OR “middle school” OR “primary school” OR “junior high” OR “elementary school” OR “grade school” AND (athletic OR field* OR facility OR gym* OR complex OR game* OR match* OR event* OR contest)
 - a. Time frame: 2013-present. RFP 43.

Please confirm that you will run these proposed searches across the identified custodians and inform us of the number of hits for each search. If you have any proposed edits to these search terms or custodians before running them, we ask that you identify any such edits in redline and quickly send them back to us for our review.

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Very truly yours,

GODFREY & KAHN, S.C.

A handwritten signature in blue ink, appearing to read "Paul Covaleski", with a stylized flourish at the end.

Paul Covaleski

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